

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GILBERT L. LOAEC 2014 TRUST, et al.,
Plaintiffs,
v.
ROMONA A. DOHENY,
Defendant.

Case No. 19-cv-02078-NC

**ORDER TO SHOW CAUSE RE:
STATUS AS ATTORNEY-IN-
FACT AND TRUSTEE**

In this elder abuse and fraud action, the plaintiffs include Gilbert L. Loaec—the alleged victim of defendant Romona A. Doheny’s fraud—as well as the Gilbert L. Loaec 2014 Trust (“Trust”) and Yvonne Loaec-Russ.¹ *See* Dkt. No. 1 (“Compl.”) ¶¶ 4–6. The complaint suggests that Loaec is an incompetent person due to his recent diagnosis of dementia. *See id.* ¶ 4. Federal Rule of Civil Procedure 17(c) requires the Court to issue appropriate orders “to protect a minor or incompetent person who is unrepresented in an action.” Yvonne purports to be Loaec’s attorney-in-fact and the Trust’s trustee. *See id.* ¶¶ 5–6.

Because this action, at its core, seeks to litigate a dispute over Loaec’s interests, the Court ORDERS Yvonne to proffer evidence that she in fact has authority to act as Loaec’s

¹ The Court refers to Yvonne Loaec-Russ as “Yvonne” for the sake of brevity and clarity.

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attorney-in-fact and is the Trust’s trustee. Yvonne must respond to this order by **August 23, 2019**. Doheny may respond to Yvonne’s proffer, if necessary, by **August 30, 2019**.

IT IS SO ORDERED.

Dated: August 16, 2019



NATHANAEL M. COUSINS
United States Magistrate Judge